



Sen. Michael Bond

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09600SB3815sam001

LRB096 20788 KTG 37841 a

1 AMENDMENT TO SENATE BILL 3815

2 AMENDMENT NO. _____. Amend Senate Bill 3815 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Aid Code is amended by
5 adding Section 12-4.40 as follows:

6 (305 ILCS 5/12-4.40 new)

7 Sec. 12-4.40. Public Benefits Fraud Protection Task Force.

8 (a) Purpose. The purpose of the Public Benefits Fraud
9 Protection Task Force is to conduct a thorough review of the
10 nature of public assistance fraud in the State of Illinois; to
11 ascertain the feasibility of implementing a mechanism to
12 determine the pervasiveness and frequency of public assistance
13 fraud; to calculate the detriment of public assistance fraud to
14 the financial status and socio-economic status of public aid
15 recipients specifically and Illinois taxpayers generally; and
16 to determine if more stringent penalties or compassionate

1 procedures are necessary.

2 (b) Definitions. As used in this Section:

3 "Task Force" means the Public Benefits Fraud Protection
4 Task Force.

5 "Public assistance" or "public aid" includes, without
6 limitation, Medicaid, TANF, the Illinois LINK Program, General
7 Assistance, Transitional Assistance, the Supplemental
8 Nutrition Assistance Program, and the Child Care Assistance
9 Program.

10 (c) The Public Benefits Fraud Protection Task Force. The
11 Public Benefits Fraud Protection Task Force is created. The
12 Task Force shall be composed of 13 members appointed as
13 follows:

14 (1) One member of the Illinois Senate appointed by the
15 President of the Senate, who shall be co-chair to the Task
16 Force;

17 (2) One member of the Illinois Senate appointed by the
18 Senate Minority Leader;

19 (3) One member of the Illinois House of Representatives
20 appointed by the Speaker of the House of Representatives,
21 who shall be co-chair to the Task Force;

22 (4) One member of the Illinois House of Representatives
23 appointed by the House Minority Leader;

24 (5) The following persons, or their designees: the
25 Director of Public Health, the Director of Healthcare and
26 Family Services, and the Secretary of Human Services;

1 (6) The Director of the Illinois Department on Aging,
2 or his or her designee;

3 (7) The Illinois Auditor General, or his or her
4 designee;

5 (8) The Inspector General of the Illinois Department of
6 Human Services, or his or her designee;

7 (9) A representative from the Illinois State Police
8 Medicaid Fraud Control Unit;

9 (10) Three persons, who are not currently employed by a
10 State agency, appointed by the Secretary of Human Services,
11 one of whom shall be a person with professional experience
12 in child care issues, one of whom shall be a person with
13 knowledge and experience in legal aid services, and one of
14 whom shall be a person with knowledge and experience in
15 poverty law; and

16 (11) The Attorney General, or his or her designee.

17 (d) Compensation and qualifications. Members shall serve
18 without compensation and shall be adults and residents of
19 Illinois.

20 (e) Appointments. Appointments shall be made 90 days from
21 the effective date of this amendatory Act of the 96th General
22 Assembly.

23 (f) Hearings. The Task Force shall solicit comments from
24 stakeholders and hold public hearings before filing any report
25 required by this Section. At the public hearings, the Task
26 Force shall allow interested persons to present their views and

1 comments. The Task Force shall submit all reports required by
2 this Section to the Governor and the General Assembly. In
3 addition to the reports required by this Section, the Task
4 Force may provide, at its discretion, interim reports and
5 recommendations. The Department of Human Services shall
6 provide administrative support to the Task Force.

7 (g) Task Force duties. The Task Force shall gather
8 information and make recommendations relating to at least the
9 following topics in relation to public assistance fraud:

10 (1) Reviews of provider billing of public aid claims.

11 (2) Reviews of recipient utilization of public aid.

12 (3) Protocols for investigating recipient public aid
13 fraud.

14 (4) Protocols for investigating provider public aid
15 fraud.

16 (5) Reporting of alleged fraud by private citizens
17 through qui tam actions.

18 (6) Examination of current fraud prevention measures
19 which may hinder legitimate aid claims.

20 (7) Coordination between relevant agencies in fraud
21 investigation.

22 (8) Financial audit of the current costs borne by aid
23 recipients and Illinois government through fraud.

24 (9) Examination of enhanced penalties for fraudulent
25 recipients and providers.

26 (10) Enhanced whistleblower protections.

1 (11) Partnerships with businesses and community groups
2 to curb fraud.

3 (h) Task force recommendations. Any of the findings,
4 recommendations, public postings, and other relevant
5 information regarding the Task Force shall be made available on
6 the Department of Human Services' website.

7 (i) Reporting requirements. The Task Force shall submit
8 findings and recommendations to the Governor and the General
9 Assembly by December 31, 2011, including any necessary
10 implementing legislation, and recommendations for changes to
11 policies, rules, or procedures that are not incorporated in the
12 implementing legislation.

13 (j) Dissolution of Task Force. The Task Force shall be
14 dissolved 90 days after its report has been submitted to the
15 Governor's Office and the General Assembly.

16 Section 99. Effective date. This Act takes effect January
17 1, 2011."